

same back to the Senate with the recommendation that it do pass, and that the bill be not printed.

BRELSFORD, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator McGregor:

Letter signed by P. H. Callahan, Llano, Texas, setting forth protest against the pending irrigation bill and saying that under its provisions no relief would be afforded the people who are being deprived by reason of the diversion of Llano river water to irrigation uses.

By Senator Lattimore:

Copy of resolutions passed by the young people of the city of Dallas, Texas, upholding the provisions of the Lattimore Sunday amusement regulation measure.

By Lieutenant Governor Mayes:

Invitation from the Athletic Council of the University of Texas to attend athletic exercises on Clark field, Monday, March 3.

By Senators Townsend, Warren and Brelsford:

Letters, petitions and telegrams endorsing the Katy consolidation bill and asking that it be passed over the Governor's veto.

#### THIRTY-SEVENTH DAY.

Senate Chamber,  
Austin, Texas,  
Monday, March 3, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Rea.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Kauffman.

McGregor.

Absent—Excused.

Astin.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday the same was dispensed with on motion of Senator Darwin.

(See Appendix for petitions and memorials and standing committee reports.)

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 29, the M. K. & T. R. R. Co. consolidation bill, notwithstanding the objection of the Governor, by the following vote, yeas 88, nays 38.

Respectfully,

W. R. LONG,

Chief Clerk House of Representatives.

#### VETO MESSAGE.

Following is the veto message from the Governor on House bill No. 29:

Governor's Office,  
Austin, Texas, February 23, 1913.

To the House of Representatives:

House bill No. 29 was received in the Governor's office on the 6th day of February, 1913. The endorsements on this bill do not show the vote by which it passed the House and Senate. It is presumed, therefore, that there was either no opposition to its passage, or else it passed by a viva voce without roll call.

This bill is entitled an act to authorize the Missouri, Kansas and Texas Railway Company of Texas to lease for a term of not less than twenty-five years the railroads of companies therein named. One of these railroads, to wit: the Texas Central—runs from Waco, McLennan county, westward to Rotan, in Fisher county. Another runs from Egan, in Johnson county, to Cleburne, in the same county; another runs from Denison, in Grayson county, to Bonham in Fannin county; another runs

from Livingston in Polk county, to Madisonville, in Madison county, and does not connect with the main line of the Missouri, Kansas and Texas Railway Company of Texas. Others run from a connection with the M. K. & T. Ry. Co. at Henrietta to Wichita Falls, thence north of Wichita Falls to the Red river, and south of Wichita Falls to Newcastle. One includes a short mileage from the Oklahoma and Texas State line to the town of Wellington in Collingsworth county.

On April 16, 1891, the Governor approved Senate bill No. 295 (see pages 120-124, Special Laws of the Twenty-Second Legislature). The act provided for the consolidation of the following lines of railway:

Denison & Pacific Railway, Denison to Whitesboro.....	25 miles
Gainesville, Henrietta & West- ern Railway, Whitesboro to Henrietta .....	86 miles
Denison & Southeastern Rail- way, Denison to Mineola.....	103 miles
Dallas & Greenville Railway, Dallas to Greenville.....	52 miles
Sherman, Denison & Dallas Railway, Denison to Sher- man .....	11 miles
Dallas & Wichita Railway, Dal- las to Denton.....	39 miles
Dallas & Waco Railway, Dallas to Hillsboro .....	66 miles
Taylor, Bastrop, & Houston Railway, Ft. Worth to Boggy Tank .....	250 miles
Taylor, Bastrop & Houston Railway, from Lockhart to San Marcos and from Echo to Belton .....	22 miles
Trinity & Sabine Valley Rail- way, Trinity to Colmesneil ..	67 miles

Making a total of..... 721 miles  
consolidated by Senate bill No. 295 as  
above stated.

This bill also included in said consolidated mileage the leased track of 72 miles of the Texas & Pacific track which was leased by the M. K. & T. from Whitesboro to Fort Worth, and over which it runs its trains.

The bonds outstanding on these several lines of railway thus merged by Senate bill No. 295, according to my understanding, are still held in the treasury of the M. K. & T. Railway, and are mortgaged to secure bonds belonging to the Missouri, Kansas & Texas Railway system and are separate charges against said properties owned and mortgaged as above stated.

The provisions of said Senate bill No. 295, approved on April 16, 1891, are such as to give to the Missouri, Kansas & Texas Railway Company, a foreign corporation, the ownership or control over the stock issued on the Missouri, Kansas & Texas Railway Company of Texas, subsequently organized in pursuance of said act. This provision, I believe, is in conflict with Section 6, of Article 10, of the Constitution of Texas, which prohibits a foreign corporation to own and control the stock of railroad companies chartered under the laws of the State of Texas.

Senate bill No. 333 passed the Legislature in 1899, and was approved May 17, 1899. It authorized the Missouri, Kansas & Texas Railway Company of Texas to buy or lease the Sherman, Shreveport & Southern Railway, running from McKinney, in Collin county, to Jefferson, in Marion county, comprising 153 miles. (See pages 206-210, General Laws of the Twenty-sixth Legislature.)

In 1903 the Legislature passed two other consolidation acts for the benefit of the Missouri, Kansas & Texas Railway Company of Texas. They were Senate bills Nos. 85 and 87, and were approved February 21 and 26, 1903, respectively. Senate bill No. 85 authorized the purchase of the Denison & Wichita Valley Railway, running from the Red river to Denison, a distance of 6.40 miles; Senate bill No. 87 authorized the purchase by the Missouri, Kansas & Texas Railway Company of Texas of the Granger, Georgetown, Austin & San Antonio Railway, a line under construction from Granger, in Williamson county, to Austin.

The foregoing contains brief statements of the consolidation acts passed by the Texas Legislature for the benefit of the Missouri, Kansas & Texas Railway Company of Texas. The railroad companies now proposed to be merged under the management and control of the Missouri, Kansas & Texas Railway Company of Texas by the sanction of the Legislature, I think, indisputedly belong to and are now controlled by this railway system. Eight years of laborious service on the Railroad Commission of Texas led me to the conclusion that the principal benefit flowing from such consolidations was to the managers and owners of the railway property, barring the instance where the consolidation bill required the construction of new mileage prior to the act taking effect. The principal benefit to the company owning

these pieces of railway property lies mainly in the convenience and economy of bookkeeping and, in some cases, the convenience in operation.

After the foregoing brief statement I am constrained to return House bill No. 29 without approval:

1. Because it is an enlargement of the control of railway corporations in Texas, by the sanction of the Legislature, by the Missouri, Kansas & Texas Railway Company, a foreign corporation, in violation of Section 6, of Article 10, of the Constitution of Texas, which reads as follows:

"No railroad company organized under the laws of this State shall consolidate by private or judicial sale or otherwise with any railroad company organized under the laws of any other State or of the United States."

The stock of the Missouri, Kansas & Texas Railway Company of Texas is owned or controlled by the Missouri, Kansas & Texas Railway Company of Missouri and Kansas, as shown by the Act of 1891, above referred to.

The Attorney General believes that the act is in violation of Section 5, of Article 10, of the Constitution, which prohibits the consolidation of parallel and competing lines of railway in this State. With all due deference to our distinguished Attorney General's opinion on this point, I do not believe that the conclusions of the Supreme Court in the East Line and Red River case apply to the lines of railway involved in House bill No. 29. Since the decision of the Supreme Court in the East Line and Red River case the people have changed the Constitution authorizing the establishing of the Railroad Commission, giving to it control over, and authority to establish and maintain freight rates over the several lines of railway in this State.

2. The reports of the Missouri, Kansas & Texas Railway Company of Texas show an accumulated deficit in operation of \$11,381,808.65. I believe that this deficit is due to the ownership, domination and control of the Missouri, Kansas & Texas Railway Company of Texas by the Missouri, Kansas & Texas Railway Company, a foreign corporation, and that a proper system of books and division of freight and passenger earnings are not accorded to the Texas company.

3. Outside of the saving in bookkeeping and in operation to the Missouri, Kansas & Texas Railway Company of Texas, or to the parent and owning for-

eign corporation, the bill does not promise any public benefit, and with all due deference to the opinions of the owners and operators of the properties of this company, I am of the opinion that the prejudice growing out of such legislation outweighs the benefits even to the corporate interests asking for the consolidation.

For the reasons above assigned, House bill No. 29 is returned to you. I attach to this message the able and exhaustive opinion of the Attorney General, Honorable B. F. Looney, in which he holds that the act is unconstitutional on four different grounds.

Respectfully submitted,  
O. B. COLQUITT,  
Governor of Texas.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Bailey:

Whereas, The Hon. R. M. Johnston, a former Senator in the United States Congress, is now in the city; therefore, be it

Resolved, That the privileges of the Senate Chamber be extended to Mr. Johnston and that he be requested to address this body.

BAILEY.  
McNEALUS.

The resolution was read and adopted, and the Chair appointed Senators Bailey McNealus and Watson as a committee to escort Senator Johnston to the President's stand, whereupon he thanked the Senate for the consideration given him.

#### WITHDRAWAL OF RESIGNATION.

Austin, Texas, March 2, 1913.

Hon. Will H. Mayes, Lieutenant Governor, President of the Senate, Austin, Texas.

Sir: On February 3, 1913, I sent you the following communication, omitting address and signature: "I hereby tender my resignation as Senator from the First Senatorial District of Texas to take effect March 3, 1913." At the same time I tendered my resignation to the Governor, and so notified you. I tendered my resignation in ample time for an election to have been called to fill the unexpired term and for someone to have been elected and ready to qualify shortly after March the 3rd, 1913. No

such election has been called. I find myself in the necessity of permitting the First Senatorial District to go without representation for several days during which very important legislation will come up for action, unless I withdraw my tender of resignation. Under the circumstances I will not permit the district to go without representation and I have written the Governor withdrawing the tender of resignation aforesaid and I hereby notify you thereof.

Yours very truly,

HORACE W. VAUGHAN.

Senator of the First Senatorial District of Texas.

Received March 2, 1913, at 5:45 p. m.

WILL H. MAYES,  
Lieutenant Governor.

## SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 355, A bill to be entitled "An Act authorizing the establishment of county hospitals and dispensaries, providing for elections for bond issues and the issuance of bonds for the cost of erection of same, and providing revenue for maintaining and managing same, and declaring an emergency."

House bill No. 474, A bill to be entitled "An Act to restore and confer upon the county court of Zapata county the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

House bill No. 376, A bill to be entitled "An Act to provide for the establishment and maintenance of a State Training School and Home for the Feeble-Minded of Texas, to locate same, and to provide for its control and management, and for a board of advisors to determine conditions of admission to said training school and home, and to make appropriations for its establishment and maintenance, and declaring an emergency."

House bill No. 230, A bill to be entitled

"An Act to amend Article 1827, Article 1828, Article 1829, and Article 1902 of the Revised Civil Statutes of the State of Texas of 1911, relating to the manner of pleading in district and county courts of the State of Texas, and adding Article 1829 and Article 1829a, providing for the verification of pleadings," with engrossed rider.

House bill No. 366, A bill to be entitled "An Act requiring the State Health Department to disseminate information concerning the cause, nature and extent of communicable disease and requiring the display throughout the State of a public health exhibit in a railway car; permitting railways to furnish free cars for this purpose and free transportation to persons engaged in the work; permitting the giving and receiving of contributions to the work and making an appropriation for the expenses of the same, and declaring an emergency."

House bill No. 215, A bill to be entitled "An Act granting unto the municipal authorities of the city of Austin, Texas, the right to establish, operate and maintain a public municipal auditorium upon the tract of land bounded on the north by Fifth street, on the south by Fourth street, on the east by Guadalupe street, and on the west by San Antonio street, in the city of Austin; and changing the designation upon the map of the city of Austin of said tract from Public Square to Public Municipal Auditorium."

House bill No. 24, A bill to be entitled "An Act to regulate the lighting, heating, ventilation, sanitation and fire protection of public school buildings that shall be built, repaired or enlarged in Texas at an expense of more than four hundred dollars; to define the legal sanitary, hygienic and protective regulations which shall be enforced: to require boards of school trustees to secure permits for the building, repairing or enlarging of a public school building in Texas at a cost of more than four hundred dollars; to authorize county superintendents of public instruction to grant such permits for buildings in common school districts and the superintendents of schools in independent school districts incorporated for school purposes only, and of cities or towns that have assumed control of their schools to grant such permits in their respective districts and report same to the State Superintendent of Public Instruction; to forbid disbursing officers from paying out public money for school buildings constructed, enlarged or repaired at an

expense of more than four hundred dollars, unless a duly authorized permit for such work has been duly granted by the proper authority; requiring the State Superintendent of Public Instruction to prepare and send out directions for carrying out the provisions of this act; requiring those issuing building permits to carry out these directions; providing a penalty for failure to observe this act, and declaring an emergency."

House bill No. 163, A bill to be entitled "An Act to prohibit the intrastate shipment and delivery of intoxicating liquors into counties, subdivisions of counties, justice precincts, cities and towns within this State in which the sale of intoxicating liquors is prohibited under the local option laws of this State; prohibiting any person, firm, association of persons or corporation, or any officer, agent or employe thereof from delivering to any other person, firm, association of persons or corporation, or any officer, agent or employe, any intoxicating liquor for shipment, transportation or carriage into or delivery within any county, subdivision of a county, justice precinct, city or town within this State, within which the sale of intoxicating liquor is prohibited under the local option laws of this State; prohibiting the receiving by any person, firm, association of persons or corporation or any officer, agent or employe thereof of any intoxicating liquors from such shipment into any territory within which the sale of intoxicating liquor is prohibited under the local option laws of this State; prohibiting the carriage or delivery by any person, firm association of persons or corporation, or any officer, agent or employe thereof of any intoxicating liquor into any territory within which the sale of intoxicating liquor is prohibited under any local option law of this State; providing that this act shall not relate to or affect interstate shipment of intoxicating liquor; providing for exemption of any person personally carrying intoxicating liquor into such territory for the use of himself or the members of his family residing with him; providing that this act shall not apply to the shipment, transportation, carriage or delivery to persons licensed under the laws of this State to sell spirituous, vinous or malt liquors for medicinal purposes within local option territory; providing penalties for the violation of this act, repealing all laws and parts of laws in conflict herewith; providing that if any section or part of this act is held invalid that that fact shall not invalidate any

other part of this act, and declaring an emergency." with engrossed rider.

House bill No. 189, A bill to be entitled "An Act to amend Chapter 13, Title 71, of the Revised Civil Statutes of Texas, 1911, providing that corporate surety companies may become sureties on bonds of county and State officials."

House bill No. 144, A bill to be entitled "An Act to amend Title 85, Revised Civil Statutes of Texas, 1911, relating to the Library and Historical Commission, by amending Article 5601 and by adding Articles 5607b, 5607c and 5609b."

House bill No. 104, A bill to be entitled "An Act to amend Article 781, Title 22, Chapter 1 of the Revised Statutes of Texas of 1911, relating to cities and towns; authorizing inhabitants of adjoining territory to become part of a city."

House bill No. 46, A bill to be entitled "An Act authorizing the commissioners' court to pay ex-officio salaries to county attorneys, and declaring an emergency."

House bill No. 90, A bill to be entitled "An Act to provide for the purchase of a site for and the establishment, location and construction of a branch asylum in Northwest Texas for the care and treatment of the insane and to make an appropriation therefor, and declaring an emergency."

House bill No. 43, A bill to be entitled "An Act providing for the regulation and control of hospitals maintained or established or conducted by means of funds derived from deductions from the wages of, or collections from, the employes of railway companies or receivers thereof; providing that the collectors or possessors of such funds and property in which such funds have been invested shall be trustees thereof for the benefit of such employes, and providing for the selection of the members of the board for the management of such hospitals, and for the powers of such boards for the free transportation of sick and injured employes to and from such hospitals, and fixing penalties for the violation, and providing for the collection of such penalties, and providing an emergency."

House bill No. 21, A bill to be entitled "An Act to reorganize the Twenty-eighth Judicial District of the State of Texas, and to create the Seventy-fourth Judicial District in the State of Texas, to fix the time of holding the courts in each of said districts; to provide for the appointment of a district judge for the Seventy-fourth Judicial District, and a district attorney for the Twenty-eighth Judicial District, and to make all pro-

cess heretofore issued as well as bonds and recognizances heretofore entered into conform thereto; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

#### HOUSE BILLS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their captions had been read, the following House bills:

House bill No. 355, referred to Committee on Counties and County Boundaries.

House bill No. 474, referred to Committee on Judicial Districts.

House bill No. 376, referred to Committee on State Asylums.

House bill No. 230, referred to Judiciary Committee No. 1.

House bill No. 366, referred to Committee on Public Health.

House bill No. 215, referred to Committee on Public Buildings and Grounds.

House bill No. 24, referred to Committee on Public Health.

House bill No. 163, referred to Judiciary Committee No. 2.

House bill No. 189, referred to Committee on State Affairs.

House bill No. 144, referred to Committee on State Affairs.

House bill No. 104, referred to Committee on Towns and City Corporations.

House bill No. 46, referred to Committee on Counties and County Boundaries.

House bill No. 90, referred to Committee on State Asylums.

House bill No. 43, referred to Committee on Internal Improvements.

House bill No. 21, referred to Committee on Judicial Districts.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Watson:

Be it resolved by the Senate, That the Lieutenant Governor be requested to add the name of Senator Gibson to the Committee on Insurance, Statistics and History.

The resolution was read and adopted.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Townsend:

I move that the Lieutenant Governor of this State be and he is hereby requested to add the names of the Senator from Tarrant and the Senator from Jefferson to the Finance Committee.

The resolution was read and adopted.

#### BILLS AND RESOLUTIONS.

By Senator Hudspeth:

Senate bill No. 394, A bill to be entitled "An Act to provide for the creation of a school and home for dependent girls; to provide for a board of directors therefor and for the location of same, and provide for the admission of girls to the same, and giving to the courts of the State jurisdiction with reference thereto; and providing for the management and control of the institution."

Read first time and referred to Committee on Educational Affairs.

By Senator Collins:

Senate bill No. 395, A bill to be entitled "An Act to define and prohibit newspaper contests, where prizes and other rewards are offered for persons obtaining the greatest number of subscriptions, defining the same as 'graft,' and affixing the penalty therefor."

Read first time and referred to Judiciary Committee No. 2.

By Senator Greer:

Senate bill No. 396, A bill to be entitled "An Act to incorporate the Wills Point Independent School District in Van Zandt county, Texas, for free school purposes only, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Warren:

Senate bill No. 397, A bill to be entitled "An Act to amend Article 1314, Chapter 26, Title 25, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, 1911; providing for the obtaining of permits to do business in this State by foreign corporations, and that if the charter of such corporations are antagonistic to the laws of the State of Texas or would not authorize the issuance of a charter to a Texas corporation, that the Secretary of State

shall not in such event issue a permit to such corporations to do business in this State, and providing for an emergency."

Read first time and referred to Committee on State Affairs.

By Senators Warren, McNealus and Brelsford:

Senate bill No. 398, A bill to be entitled "An Act providing for the punishment of adult males for keeping, directly, or through any agent, or who is concerned in keeping, or who aids or assists in keeping a bawdy house or a disorderly house in any house, building, edifice or tenement, or who knowingly permits the keeping of such house, and providing that the same shall be a felony."

Read first time and referred to Judiciary Committee No. 2.

By Senator Johnson:

Senate bill No. 399, A bill to be entitled "An Act to repeal Chapter 9, Section 7 of an act entitled 'An Act to amend Section 7, Chapter 55, page 909, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907,' and place the Lubbock Independent School District under the general laws relating to incorporated school districts, with all the powers given under such general laws, and repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Real:

Senate bill No. 400, A bill to be entitled "An Act providing more efficient road laws for Bexar County, Texas and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Greer:

Senate bill No. 401, A bill to be entitled "An Act authorizing ice companies to buy, sell and refrigerate poultry and poultry products, and buy, sell, can and refrigerate fruits, produce, fresh meats and dairy products, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufactures.

(By unanimous consent, after the conclusion of the morning call.)

By Senators Warren and Astin:

Senate bill No. 402, A bill to be entitled "An Act to reorganize the Thirteenth Judicial District of Texas, and to create

the Seventy-sixth Judicial District of Texas; and fix the time of holding the courts in said district and to provide for organizing grand juries at certain terms in said courts; and to provide for the appointment of a judge of the Seventy-sixth Judicial District; and to continue in office the judge and district attorney of the Thirteenth Judicial District and the clerks of the district courts in the several counties of said districts; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Nugent:

Senate bill No. 403, A bill to be entitled "An Act to create a special district court for the counties of Montgomery, Liberty, Chambers, Hardin, San Jacinto, Polk; to limit its existence, etc., and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senators Weinert, Paulus, Murray, Willacy and Nugent:

Senate Concurrent Resolution No. 10, Making retroactive the indeterminate sentence law and creating a committee to visit the penitentiary, to investigate as to what convicts may take advantage of such law; and appropriating \$3,000 to carry resolution into effect.

Read first time and referred to Committee on State Penitentiaries.

Morning call concluded.

#### SENATE BILL NO. 11.

The Chair laid before the Senate as pending business from Saturday Senate bill No. 11, with a pending amendment and a substitute therefor. (See last proceedings of Saturday for the amendments.)

Action recurred on the substitute first and the same was withdrawn.

Senator Vaughan offered the following substitute for the amendment:

Amend the bill page 1, by striking out line 29 and inserting in lieu thereof the following:

"That the employe was guilty of contributory negligence; but in such event the damages shall be diminished in proportion to the amount of negligence attributable to such employe, provided that no such employe who may be injured or killed shall be held to have been guilty of contributory negligence where the violation by such employer of

any statute enacted for the safety of the employes contributed to the injury or death of such employe."

The substitute was read and adopted.

The amendment, as substituted, was adopted.

Senator Collins offered the following amendment, which was read and adopted:

Amend the caption as follows: In line 21, page 1 of the printed bill, strike out the word "damage," and after the word "payments" in the same line insert the following: "of compensation to employes."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 10, page 2, strike out the word "employe" and insert in lieu thereof the word "employers."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 27, page 2 of the printed bill, strike out the phrase "of the body."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 13, page 3, strike out the word "or" and insert in lieu thereof the word "nor."

#### SENATE BILL NO. 372 RE-REFERRED

Senator Westbrook moved that Senate bill No. 372 be withdrawn from Judiciary Committee No. 1 and that same be referred to Judiciary Committee No. 2. The motion prevailed.

#### EXECUTIVE MESSAGE.

Governor's Office,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Dear Sir: I am transmitting to you, for the information of the Senate, the enclosed correspondence with Hon. Horace W. Vaughan, Senator from the First Texas District, the same being self-explanatory.

Respectfully,  
O. B. COLQUITT,  
Governor.

March 3, 1913.

Hon. Horace W. Vaughan, Senate Chamber, Capitol.

Dear Sir: Last night, immediately after arriving in Austin, Hon. H. L. Darwin, a member of the Senate, handed me the following letter from you:

Senate Chamber,  
Austin, Texas, March 2, 1913.

Governor O. B. Colquitt, Austin, Texas:

Your Excellency: On February 3, 1913, I sent you the following communication, omitting address and signature, viz:

I hereby tender my resignation as Senator from the First Senatorial District of Texas, to take effect March 3, 1913.

You have not as yet acknowledged receipt of same, nor have you notified me either orally or in writing that same was accepted. I tendered my resignation in ample time for you to have called an election for the unexpired term, and for some one to have been elected and ready to qualify by March 4. I find myself under the necessity of either permitting the First Senatorial District to go unrepresented for several days, during which very important legislation will come up for action, or else withdrawing my tender of resignation. Though involving considerable sacrifice on my part, I will not under the circumstances permit the district to go without representation, and I hereby withdraw the tender of my resignation.

Yours truly,  
HORACE W. VAUGHAN.

On February your resignation reading as follows reached the Governor's office, and was immediately accepted and filed with the Secretary of State. I quote it in full with the acceptance written on the margin of the letter at the bottom:

Senate Chamber,  
Austin, Texas, February 3, 1913.

Hon. O. B. Colquitt, Governor, Austin, Texas.

Your Excellency: I hereby tender my resignation from the First Senatorial District of Texas, to take effect March 3, 1913. I have likewise tendered same to the President of the Senate. Yours truly,

HORACE W. VAUGHAN.

Accepted, February 3, 1913.

O. B. COLQUITT, Governor.

Soon after receiving your resignation I discussed the matter of ordering an election with Hon. Will H. Mayes, our able Lieutenant Governor. I told him I would look into the matter, and if an election could be ordered at once so as not to deprive the First Senatorial District of representation, it would be done. I found a case similar to that of



yours in that of Hon. Miles Crowley of Galveston county, who had been elected to Congress, and tendered his resignation as a member of the State Senate effective March 4. His resignation was accepted and Governor Culberson notified the Senate through his private secretary on March 6 that the resignation had been tendered and accepted and an election was ordered to fill the vacancy. Your resignation was not to take effect until March 3, and upon investigation I concluded that no election could be ordered by the Governor until a vacancy existed. Section 13 of Article 3 of the Constitution reads as follows:

"When vacancies occur in either House, the Governor, or the person exercising the power of the Governor, shall issue writs of election to fill such vacancies; and should the Governor fail to issue a writ of election to fill any such vacancy within twenty days after it occurs, the returning officer of the district in which such vacancy may have happened shall be authorized to order an election for that purpose."

You will note that the very first words of the section of the Constitution provide that no election can be ordered by the Governor except "when vacancies occur." Your resignation having been accepted and filed with the Secretary of State, there may be some doubt as to whether you can recall it. This is a matter, however, not for me to determine, as the Constitution vests in the Senate the right to determine the qualification of its members.

I am making this explanation to you in order that you may understand that I am not in anywise responsible for your district not being represented in the event the Senate concludes that you cannot withdraw your resignation.

I will send a copy of this communication to the President of the Senate for the Senate's information.

Yours truly,

O. B. COLQUITT,  
Governor.

#### RECESS.

On motion of Senator Weinert, the Senate, at 12:30 o'clock p. m., recessed until 2:30 o'clock today.

#### AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

#### SENATE BILL NO. 11.

(Pending Business.)

Action recurred on Senate bill No. 11, and Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 27, page 3, strike out the word "but" and insert the word "when" in lieu thereof, and in line 28, page 3, strike out the word "when" and insert in lieu thereof the word "upon," and after the word "parent" in line 28, page 3, strike out all of the remaining portion of Section 9, Subdivision C.

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 5, page 5, strike out the word "phalange" and insert in lieu thereof the word "joint."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 25, page 7, strike out the following words: "forty-eight hours not counting Sundays and legal holidays," and insert in lieu thereof the words "eight days."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 30, page 9, strike out the word "at" and insert in lieu thereof the word "with."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 13, page 10, strike out the word "preceeding" and insert in lieu thereof the word "preceding."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 18, page 11, strike out the word "fixed" and insert in lieu thereof the word "fled."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 32, page 12, and in line 1, page 13, strike out "a deceased employer" and insert in lieu thereof "any original employer."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 10, page 13, strike out the word "averake"

and insert in lieu thereof the word "average."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 23, page 13, after the word "association" strike out the period and insert a comma, and also the following words: "or any other insurance company authorized under this act to insure the payment of compensation to injured employes, or to the beneficiaries of deceased employes."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 6, page 14, strike out the figures "22," add the letter "s" after the word "section" in said line, and then add the figures "10, 17," and the word "and" and the figures "21."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: By adding Section 3 to part 4 to read as follows:

"Sec. 3. Any subscriber who has paid his annual premium as provided in Section 1, part 4, of this act, but who ceases to be an employer after three months and before the expiration of one year, may by satisfactory proof of such fact made to the Industrial Accident Board as herein created, be entitled to a refund of such portion of the annual premium so paid by him as the portion of the year in which he is not an employer bears to the whole year; provided that in no event shall more than three-fourths of the annual premium by any subscriber who claims the benefit of this refund ever be refunded."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 7, page 16, strike out the word "eight" and insert in lieu thereof the word "four."

Senator Collins offered the following amendment which was read and adopted:

Amend the bill as follows: In line 6, page 14, strike out the figures "22" and insert in lieu thereof "10, 17, and 21."

Senator Collins offered the following amendment which was read and adopted:

Amend the bill as follows: In line 22, page 10, strike out the words "or notes absolutely payable."

Senator Collins offered the following amendment which was read and adopted:

Amend the caption as follows: In line 21, page 1, strike out the word

"damage," and after the word "payments" and before the word "by," insert the following: "of compensation to employes."

Senator Collins offered the following amendment which was read and adopted:

Amend the caption as follows: In line 22, page 1, strike out period after the word "organization," and insert comma, and add the following: "and declaring an emergency."

Senator Collins offered the following amendment which was read and adopted:

Amend the bill as follows: After section 5, on page 14, add section 6, to read as follows: "Sec. 7. There now being no adequate law on the statutes to protect the industrial employes who may be injured in industrial accidents, and the beneficiaries of such employes who may be killed in such accidents, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended and this act take effect from and after its passage, and it is so enacted."

Senator Morrow offered the following amendment:

Amend the bill by inserting after the word "railway" in line 6, page 2, the following: "nor to employes of persons, firms or corporations engaged in ginning cotton."

The amendment was read and Senator Collins moved to table the amendment, which motion to table was lost by the following vote:

Yeas—7.

Collins.	Terrell.
Cowell.	Westbrook.
Hudspeth.	Willacy.
Johnson.	

Nays—17.

Bailey.	Paulus.
Carter.	Real.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Lattimore.	Watson.
Morrow.	Weinert.
Murray.	Wiley.
Nugent.	

Present—Not Voting.

Conner.

Absent.

Brelsford.	McNealus.
Kauffman.	Taylor.
McGregor.	

Absent—Excused.

Astin.

The amendment was then adopted.

Senator Warren offered the following amendment:

Amend the bill by striking out the period following the last word in Section 2, part 1, and inserting in lieu thereof a comma and thereafter the following language: "nor to the employees of any person, firm or corporation having in his or their employ not more than five employees."

Senator Lattimore offered the following amendment to the amendment:

Amend the amendment by striking out the word "five" and inserting in lieu thereof the word "ten."

The amendment to the amendment was read and Senator Collins moved to table the same, which motion was lost by the following vote:

Yeas—10.

Bailey.	McNealus.
Collins.	Taylor.
Conner.	Terrell.
Hudspeth.	Townsend.
Johnson.	Westbrook.

Nays—17.

Carter.	Paulus.
Cowell.	Real.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Watson.
Lattimore.	Weinert.
Morrow.	Wiley.
Murray.	Willacy.
Nugent.	

Absent.

Brelsford.	McGregor.
Kauffman.	

Absent—Excused.

Astin.

The amendment to the amendment was adopted.

Senator Murray offered the following amendment to the amendment:

Amend the amendment by adding "where a night and day shift is employed only one shift can be computed in determining number of employees."

The amendment to the amendment was adopted.

The amendment, as amended, was adopted.

Senator Bailey offered the following amendment:

Amend the bill by adding after the word "latter" in line 31, page 2, the

following: "and in all cases where exemplary damages are sought under this section in case the injured party has already been awarded actual damages by the board herein, provided said fact and said amount so received shall be made known to the court or jury trying said cause for exemplary damages, and on the issue for exemplary damages ~~he~~ shall have the same defenses as under the existing law."

HUDSPETH.  
BAILEY.

The amendment was read and adopted.

Senator Paulus offered the following amendment:

Amend the bill by striking out the enacting clause.

The amendment was read and laid on the table pending amendments to perfect the bill.

Senator Willacy offered the following amendment, which was read and adopted:

Amend by adding to Section 3 the following:

"Provided, That all compensation allowed under the succeeding sections herein, shall be exempt from garnishment, attachments and all other suits or claims, as are current wages now exempted by law."

WILLACY,  
BAILEY.

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, pages 1 and 2, by adding to Section 1, Section 1a, as follows:

"Sec. 1a. Provided, that the provisions of this act shall not apply to employees of subscribers, which employees refuse to accept the provisions and awards of the Industrial Accident Board provided for in this act, but nothing herein shall be construed as prohibiting such employees from prosecuting their claims in courts as now provided by law."

Senator Morrow offered the following amendment:

Amend the bill, Section 2, page 2, as follows: "The provisions of this bill shall not apply to the employees of any municipal corporations."

The amendment was read and Senator Collins moved to table same, which motion to table prevailed.

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line

25, page 14, strike out the figure "4" after the word "Sec." and insert in lieu thereof the figure "5," and in line 27, page 14, strike out the figure "5" after the word "Sec.," and insert in lieu thereof the figure "6."

Senator Wiley offered the following amendment, which was read and adopted:

Amend by striking out all of Sec. 8, page 3, after the word "injury" in line 15, and strike out all of Sec. 9, page 3, and insert the following: "Provided, the compensation herein provided for shall be distributed according to the law for the distribution of other property of deceased."

Senator Morrow offered the following amendment, which was read and adopted:

Amend the bill, page 3, Sec. 7, line 9, by adding after the word "same" the following: "Provided reasonable notice of injury shall be given to the said association, and this provision requiring notice shall apply to all subsequent sections of this act providing for compensation."

Senator Wiley offered the following amendment, which was read and adopted:

Amend the bill, page 4, line 3, by inserting after the word "dollars" the following: "Provided, where the deceased leaves no beneficiaries, as provided herein, but leaves creditors, the association shall be liable to such creditors for an amount not exceeding the amount that would otherwise have been due beneficiaries, which amount paid shall not exceed amount due such creditor or creditors."

Senator Wiley offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 32, by inserting after the comma following the word "beneficiaries" the words "or creditors."

Senator Lattimore offered the following amendment:

Amend the bill, page 6, line 6, by striking out the words "by the State" and inserting in lieu thereof the following: "Out of the funds arising from the payments by subscribers herein provided for."

COWELL.  
LATTIMORE.  
NUGENT.

Senator Vaughan moved the previous question on the amendment, and the bill,

which motion being duly seconded, was so ordered.

On motion of Senator Collins the amendment was tabled.

The bill, having already been read, was passed to engrossment by the following vote:

Yeas—16.

Bailey.	Nugent.
Brelsford.	Taylor.
Collins.	Terrell.
Conner.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Westbrook.
McNealus.	Wiley.

Nays—7.

Carter.	Murray.
Cowell.	Paulus.
Greer.	Watson.
Lattimore.	

Present—Not Voting.

Gibson.	Real.
Morrow.	

Absent.

Kauffman.	Weinert.
McGregor.	Willacy.

Absent—Excused.

Astin

### THIRD HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 423, A bill to be entitled "An Act to authorize the State Comptroller to transfer certain moneys in the State treasury known as the 'Candarella contract,' 'Mustang Island,' and 'organized county tax account' funds, to the credit of the permanent school fund, and declaring an emergency."

House bill No. 149, A bill to be entitled "An Act to amend Article 1954, Chapter 12, Title 37, and Articles 1970, 1971, 1972, 1973 and 1974 of Chapter 12, Title 37, and Article 2061 of Chapter 19, Title 37, of the Revised Civil Statutes of the State of Texas, 1911, relating to charges and instructions to the jury and prescribing the time when a charge of the court and special charges may be

read to the jury, the requirements of such charges and the manner and necessity of excepting to such charges, and to repeal all laws and parts of laws in conflict therewith," with engrossed rider.

Also House Concurrent Resolution No. 16, Protesting against the merging of the Brownsville and Laredo Customs Districts.

House Concurrent Resolution No. 17, Relating to a complete sanitation of the Capitol building.

Also the House concurs in Senate amendments to House bill No. 284 by the following vote, yeas 102, nays 0.

Respectfully.

W. R. LONG.

Chief Clerk, House of Representatives.

#### HOUSE BILLS AND RESOLUTIONS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their captions had been read, the following House bills and resolutions:

House bill No. 423 referred to Committee on State Affairs.

House bill No. 149 referred to Judiciary Committee No. 1.

House Concurrent Resolution No. 16 referred to Committee on State Affairs.

House Concurrent Resolution No. 17 referred to Committee on Public Buildings and Grounds.

#### HOUSE BILL NO. 29 WITH EXECUTIVE VETO.

Senator Terrell called up from the President's table as a privileged matter, for consideration at this time, notwithstanding the objections of the Governor,

House bill No. 29, A bill to be entitled "An Act to authorize the Missouri, Kansas and Texas Railway Company of Texas to lease, for a term of not less than twenty-five years, the railroad of the Texas Central Railroad Company, extending from the city of Waco, McLennan county, Texas, to the town of Rotan, Fisher county, Texas; the railroad of the Wichita Falls & Northwestern Railway Company of Texas, extending from the city of Wichita Falls, Wichita county, Texas, to the Texas-Oklahoma State line; the railroad of the Wichita Falls Southern Railway Company, extending from the city of Wichita Falls, Wichita county, Texas, to the town of Newcastle, Young county, Texas; the railroad of the

Wichita Falls & Wellington Railway Company of Texas, extending from the Texas-Oklahoma State line into and through Collingsworth county, Texas, to the town of Wellington, in said county; the railroad of the Wichita Falls Railway Company, extending from the city of Henrietta, Clay county, Texas, to the city of Wichita Falls, Wichita county, Texas; the railroad of the Denison, Bonham & New Orleans Railroad Company, extending from a point near the city of Denison, Grayson county, Texas, to the city of Bonham, Fannin county, Texas; the railroad of the Dallas, Cleburne & Southwestern Railway Company, extending from the city of Cleburne to the town of Egan, Johnson county, Texas; and the railroad of the Beaumont & Great Northern Railroad extending from Weldon, in Houston county, Texas, to Livingston, in Polk county, Texas, or any of them, with the branches and extensions of said railroads constructed, or to be constructed, together with the properties, franchises, and appurtenances pertaining thereto, and at any time during the life of said lease or leases, to purchase, own, operate and maintain the same, or any of them, as a part of its line, and to complete and extend the said railroad, or any of them, as contemplated and provided in the respective charters of the said Texas Central Railroad Company, the Wichita Falls & Northwestern Railway Company of Texas, the Wichita Falls & Southern Railway Company, the Wichita Falls & Wellington Railway Company of Texas, the Wichita Falls Railway Company, the Denison, Bonham & New Orleans Railroad Company, the Dallas, Cleburne & Southwestern Railway Company, and the Beaumont & Great Northern Railroad, with the right to make such other extensions and construct such branches as may be hereafter authorized by amendment of its charter under the laws of the State of Texas; and to vest said companies, and each of them, with the power to make and execute all necessary contracts and agreements to effect said leases, purchases and sales, or any of them; and to authorize the said The Missouri, Kansas & Texas Railway Company of Texas to assume the payment of the bonds and other indebtedness of the said railroad and railway companies, or any of them, and to purchase the issued and outstanding stock of the said railroad and railway companies, or any of them, and to exchange its own stock and bonds for the stock and bonds of

the said railroad and railway companies, or any of them, or to substitute its own bonds under the laws of the State of Texas and subject to the approval of the Railroad Commission of Texas, in lieu thereof; and to prescribe the terms and conditions upon which said leases, purchases and sales may be made; and requiring the courts to take judicial notice of its provisions, and declaring an emergency."

The bill was received by the Senate today from the House, together with the executive veto message, with notice that same had been passed by the House notwithstanding the Governor's objection.

The Chair laid the bill before the Senate as well as the executive veto message. (See First House message to-day's proceedings, for veto message in full.)

Senator Terrell moved the previous question on the action on the bill, which motion being duly seconded, was so ordered.

Question recurred—Shall Senate bill No. 29 be passed notwithstanding the objections of the Governor?

The Clerk was directed to call the roll, and the bill was passed notwithstanding the objections of the Governor by the following vote:

## Yeas—22.

Bailey.	McNealus.
Brelsford.	Morrow.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Willacy.

## Nays—6.

Hudspeth.	Watson.
Murray.	Westbrook.
Townsend.	Wiley.

## Absent.

Kauffman.	McGregor.
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## Absent—Excused.

Astin.

The Chair announced that the bill had been passed over the Governor's veto.

Senator Terrell moved to reconsider the vote by which the bill was passed

over the Governor's veto and lay that motion on the table.

The motion to table prevailed.

## REFUSE TO ADJOURN.

Senator Carter, at 5:25 o'clock p. m., moved that the Senate recess until 8 o'clock tonight.

Senator Watson moved, as a substitute, that the Senate adjourn until 10 o'clock tomorrow morning.

Action recurred on the longest time first, and the motion to adjourn until tomorrow morning was lost by the following vote:

## Yeas—4.

Brelsford.	Paulus.
Murray.	Watson.

## Nays—23.

Bailey.	Nugent.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Weinert.
Hudspeth.	Westbrook.
Johnson.	Wiley.
Lattimore.	Willacy.
Morrow.	

## Absent.

Kauffman.	McNealus.
McGregor.	

## Absent—Excused.

Astin.

Pending delay, by the introduction of committee reports, etc.,

Senator Carter renewed his motion to recess until 8 o'clock tonight.

Senator Murray moved, as a substitute, that the Senate adjourn until 10 o'clock tomorrow morning, which motion was lost by the following vote:

## Yeas—5.

Gibson.	Paulus.
McNealus.	Watson.
Murray.	

## Nays—23.

Bailey.	Darwin.
Brelsford.	Greer.
Carter.	Hudspeth.
Collins.	Johnson.
Conner.	Lattimore.
Cowell.	Morrow.

Nugent.	Warren.
Real.	Weinert.
Taylor.	Westbrook.
Terrell.	Wiley.
Townsend.	Willacy.
Vaughan.	

Absent.

McGregor.	Kauffman.
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Absent—Excused.

Astin.

Senator Carter withdrew his motion to recess, and Senator Wiley moved that the Senate recess until 8 o'clock tonight, which motion was lost by the following vote:

Yeas—7.

Gibson.	Murray.
Greer.	Paulus.
Hudspeth.	Wiley.
Morrow.	

Nays—21.

Bailey.	Real.
Brelsford.	Taylor.
Carter.	Terrell.
Collins.	Townsend.
Conner.	Vaughan.
Cowell.	Warren.
Darwin.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Willacy.
Nugent.	

Absent.

Kauffman.	McGregor.
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Absent—Excused.

Astin.

## SENATE JOINT RESOLUTION NO. 12.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate Joint Resolution No. 12, To amend Section 1, of Article 3, of the Constitution of the State of Texas, so as to give to the people, or reserve to them the power to propose laws and to enact or reject the same at the polls, and to approve or reject at the polls any act of the Legislature.

The resolution was read third time and passed by the following vote:

Yeas—21.

Brelsford.	Conner.
Carter.	Cowell.
Collins.	Darwin.

Gibson.	Taylor.
Greer.	Terrell.
Johnson.	Townsend.
Lattimore.	Vaughan.
McNealus.	Warren.
Morrow.	Westbrook.
Nugent.	Willacy.
Paulus.	

Nays—7.

Bailey.	Watson.
Hudspeth.	Weinert.
Murray.	Wiley.
Real.	

Absent.

Kauffman.	McGregor.
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Absent—Excused.

Astin.

Senator Vaughan moved to reconsider the vote by which the resolution was passed and lay that motion on the table. The motion to table prevailed.

## REASONS FOR VOTE.

I had agreed to pair with Senator Astin on this resolution, with the misunderstanding that to pair would be necessary that he might express his opposition to the resolution; but inasmuch as his absence would in itself result in exercising his opposition to the passage of the resolution, I think I am not acting in bad faith by exercising my right to vote, and I consequently vote "yea" on the resolution.

JOHNSON.

## HOUSE BILL NO. 162.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 162, A bill to be entitled "An Act to amend Article 6394, Chapter 1, Title 113, providing for the care and custody of that part of the old Alamo Mission property purchased by the State adjoining the building known as the Alamo Church, and that same be delivered to the Daughters of the Republic of Texas, to be maintained and remodelled upon plans adopted by them, and providing that no changes or alterations shall be made in the Alamo church proper, except such as are necessary for its preservation, and declaring an emergency."

There being an adverse majority com-

mittee report, and a favorable minority committee report, on motion of Senator Hudspeth the minority committee report was adopted.

Senator Hudspeth offered the following amendment:

Amend the bill by striking out all after the enacting clause and insert the following:

Section 1. That Article 6394 of the Revised Civil Statutes of 1911, be amended so as to hereafter read as follows, to wit:

#### THE ALAMO.

Article 6394. The part of the Alamo Mission property purchased by the State adjoining the building known as the Alamo Church or Chapel, together with the Alamo Church or Chapel, shall be in the custody of the Superintendent of Public Buildings and Grounds, and under the direction and control of the Governor. Said Alamo Mission and church or chapel property now owned by the State shall be restored as near as it is possible to do so to its condition and appearance at the time of the massacre of the Texans in what is known as "The Battle of the Alamo." It shall be the duty of the Superintendent of Public Buildings and Grounds to preserve the Alamo as near as it is practical to do so as it appeared at the time of the battle.

Sec. 2. The sum of seven thousand five hundred (\$7,500) dollars, or as much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not otherwise appropriated for the purpose of restoring the Alamo, as required by the foregoing amendment to Article 6394, and preserving and keeping it in that condition.

HUDSPETH.

Pending.

The amendment was read, and, on motion of Senator Lattimore, the bill was made pending business for tomorrow morning after the conclusion of the morning call.

#### SENATE BILL NO. 179.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 179, A bill to be entitled "An Act to repeal Articles 1140, 1141, 1142 and 1144, Chapter 16, Title 15, Revised Penal Code of the State of Texas, 1911, and to insert in lieu thereof new Articles 1140 and 1141, defining murder

and fixing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time and passed.

Senator Morrow moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 182—HOUSE AMENDMENTS CONCURRED IN.

Senator Gibson called up Senate bill No. 182, a local road law for Lamar county, with the following House amendments:

Amend Senate bill No. 182 by striking out Section 40 and inserting in Section 40, "that it shall be the duty of the Assessor of Taxes of Lamar county to so arrange the tax rolls of Lamar county so as to show the total taxable values of each justice precinct in Lamar county, and he shall furnish the commissioners' court with a statement showing the total taxable values of any justice precinct or precincts when so requested by said commissioners' court."

Senator Gibson moved that the Senate concur in the above House amendments, which motion prevailed by the following vote:

Yeas—28.

Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Kauffman.	McGregor.
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Absent—Excused.

Astin.

#### RECESS.

Senator Darwin, at 6:10 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning, which motion was lost by the following vote:



## Yeas—8.

Bailey.	McNealus.
Brelsford.	Real.
Darwin.	Terrell.
Gibson.	Watson.

## Nays—20.

Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
Morrow.	Wiley.
Murray.	Willacy.

## Absent.

Kauffman.	McGregor.
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## Absent—Excused.

Astin.

On motion of Senator Carter, the Senate, at 6:10 p. m., recessed until 8 o'clock tonight.

## AFTER RECESS.

(Night Session.)

The Senate was called to order by Lieutenant Governor Mayes.

## SENATE BILL NO. 353.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 353, A bill to be entitled "An Act to fix the time for holding the terms of the district courts in the Forty-seventh Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Bailey.	Hudspeth.
Carter.	Johnson.
Collins.	Lattimore.
Conner.	Morrow.
Cowell.	Murray.
Greer.	Nugent.

Paulus.	Weinert.
Terrell.	Westbrook.
Townsend.	Wiley.
Warren.	Willacy.
Watson.	

## Absent.

Brelsford.	McNealus.
Darwin.	Real.
Gibson.	Taylor.
Kauffman.	Vaughan.
McGregor.	

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—23.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Greer.	Warren.
Gibson.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
Morrow.	Willacy.
Murray.	

## Absent.

Brelsford.	McNealus.
Darwin.	Taylor.
Kauffman.	Vaughan.
McGregor.	

## Absent—Excused.

Astin.

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 356.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 356, A bill to be entitled "An Act to create a road commission for Callahan county by making the members of the commissioners' court ex-officio members of said commission, and declaring an emergency."

On motion of Senator Johnson, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
Morrow.	Wiley.
Murray.	Willacy.

Absent.

Brelsford.	McGregor.
Darwin.	McNealus.
Kauffman.	Taylor.

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
Morrow.	Wiley.
Murray.	Willacy.

Absent.

Brelsford.	McGregor.
Darwin.	McNealus.
Kauffman.	Taylor.

Absent—Excused.

Astin.

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

# SENATE BILL NO. 362.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 362, A bill to be entitled "An Act to authorize, empower and permit Aransas county, upon a vote of two-thirds majority of the resident property taxpayers, voting thereon, who are qualified electors of said county, to issue bonds, or otherwise lend its credit in any amount, not to exceed one-fourth of the assessed valuation of the real property of said Aransas county, and to levy and collect taxes to pay the interest on said bonds and to provide a sinking fund for the redemption thereof, for the purpose of laying out, opening, constructing and maintaining a public road and highway or causeway across the waters of Aransas Bay, between Lamar Peninsula and Live Oak Peninsula, in said county, so as to connect the public road system of said county lying north of Copana Bay with the public road system of said county of Live Oak Peninsula, and declaring an emergency."

On motion of Senator Willacy, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and ordered engrossed.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
Morrow.	Willacy.
Murray.	

Absent.

Brelsford.	McNealus.
Darwin.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real
Cowell.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.	McNealus.
Darwin.	Taylor.
McGregor.	Vaughan.

## Absent—Excused.

Astin.

Senator Willacy moved to reconsider the vote by which the bill was passed and lay the motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 376.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 376, A bill to be entitled "An Act amending Section 3 of the Special Road Law for Montgomery county, Texas, and declaring an emergency."

On motion of Senator Nugent, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and ordered engrossed.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Bailey.	Darwin.
Carter.	Gibson.
Collins.	Greer.
Conner.	Hudspeth.
Cowell.	Johnson.

Lattimore.	Townsend.
Morrow.	Warren.
Murray.	Watson.
Nugent.	Weinert.
Paulus.	Westbrook.
Real.	Wiley.
Terrell.	Willacy.

## Absent.

Brelsford.	McNealus.
Kauffman.	Taylor.
McGregor.	Vaughan.

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Willacy.
Morrow.	Wiley.

## Absent.

Brelsford.	McNealus.
Kauffman.	Taylor.
McGregor.	Vaughan.

## Absent—Excused.

Astin.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 386.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 386, A bill to be entitled "An Act to create a more efficient road system for Howard county, and declaring an emergency."

On motion of Senator Johnson the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering the bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and ordered engrossed.

On motion of Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

Senator Johnson moved to reconsider vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 391.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 391, A bill to be entitled "An Act to incorporate the Seguin Independent School District in Guadalupe county, Texas, describing the boundaries, etc., and declaring an emergency."

The committee report, which provided that the bill be not printed was adopted.

The bill was read second time, and ordered engrossed.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

Senator Weinert moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

### SENATE BILL NO. 393.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 393, A bill to be entitled "An Act to create a more efficient road system for Hill county, Texas."

On motion of Senator Morrow, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and ordered engrossed.

On motion of Senator Morrow, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—25.

Bailey.	Johnson.
Carter.	Lattimore.
Collins.	McNealus.
Conner.	Morrow.
Cowell.	Murray.
Darwin.	Nugent.
Gibson.	Paulus.
Greer.	Real.
Hudspeth.	Terrell.

Townsend.  
Warren.  
Watson.  
Weinert.

Westbrook.  
Wiley.  
Willacy.

Absent.

Brelsford.  
Kauffman.  
McGregor.

Taylor.  
Vaughan.

Absent—Excused.

Astin.

Senator Morrow moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

### SENATE BILL NO. 396.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and Senate bill No. 396 was put on its second reading by the following vote:

Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

Absent—Excused.

Astin.

The Chair laid before the Senate, on second reading,

Senate bill No. 396, A bill to be entitled "An Act creating an independent school district for Wills Point, Texas, and declaring an emergency."

On motion of Senator Greer the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and ordered engrossed.

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

## Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

## Absent.

Brelsford.	Taylor.
Kauffman.	Vaughan.
McGregor.	

## Absent—Excused.

Astin.

Senator Greer moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 399.

On motion of Senator Johnson, the constitutional rule requiring bills to be

read on three several days was suspended and Senate bill No. 399 was put on its second reading by the following vote:

## Yeas—23.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

## Absent.

Brelsford.	Murray.
Hudspeth.	Taylor.
Kauffman.	Watson.
McGregor.	

## Absent—Excused.

Astin.

The Chair laid before the Senate, on second reading, Senate bill No. 399, Lubbock Independent School District (see Bills and Resolutions of today for caption).

On motion of Senator Johnson the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—25.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

## Absent.

Brelsford. Taylor.  
Kauffman. Watson.  
McGregor.

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford. McGregor.  
Hudspeth. Taylor.  
Kauffman. Watson.

## Absent—Excused.

Astin.

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 400.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and Senate bill No. 400 put on its second reading by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford. McGregor.  
Hudspeth. Taylor.  
Kauffman. Watson.

## Absent—Excused.

Astin.

The Chair laid before the Senate, on second reading, Senate bill No. 400, creating a local road law for Bexar county (see Bills and Resolutions of today for caption in full).

On motion of Senator Real the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and ordered engrossed.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford. McGregor.  
Hudspeth. Taylor.  
Kauffman. Watson.

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—24.

Bailey.	Greer.
Carter.	Johnson.
Collins.	Lattimore.
Conner.	McNealus.
Cowell.	Morrow.
Darwin.	Murray.
Gibson.	Nugent.

Paulus.	Warren.
Real	Weinert.
Terrell.	Westbrook.
Townsend.	Wiley.
Vaughan.	Willacy.

Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent.

Astin.

Senator Real moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 349.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 349, A bill to be entitled "An Act to create the Mathis Independent School District in San Patricio county, Texas, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

Senator Willacy moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 248.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 248, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Armstrong county, Texas."

The bill was read second time and passed to a third reading.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.



## Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

## Absent—Excused.

Astin.

Senator Johnson offered the following amendment:

Amend second line of the caption by adding thereto the words "and declaring an emergency."

The amendment was adopted by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

## Absent—Excused.

Astin.

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 303.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 303, A bill to be entitled "An Act to confer upon the county court of Castro county the civil and criminal jurisdiction belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—24.

Bailey.	Cowell.
Carter.	Darwin.
Collins.	Gibson.
Conner.	Greer.

Johnson.	Terrell.
Lattimore.	Townsend
McNealus.	Vaughan.
Morrow.	Warren.
Murray.	Weinert.
Nugent.	Westbrook.
Paulus.	Wiley.
Real.	Willacy.

Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 339.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 339, A bill to be entitled "An Act to create a more efficient road system for Bosque county in this State."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Morrow, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

47—S

The bill was read third time and passed by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

Senator Morrow moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 57.

The Chair laid before the Senate, on second reading and regular order,

Senate bill No. 57, A bill to be entitled "An Act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of Chapter 11, Title 18, of the Revised Civil Statutes of 1895, and of the law providing for the same under Chapter 14, Title 22, of the Revised Statutes of 1911, but which attempted incorporations failed to comply with all the requirements of said chapters and titles, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Johnson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Bailey.	Johnson.
Carter.	Lattimore.
Collins.	McNealus.
Conner.	Morrow.
Cowell.	Nugent.
Gibson.	Paulus.
Greer.	Terrell.

Townsend.	Westbrook.
Vaughan.	Wiley.
Warren.	Willacy.
Weinert.	

Absent.

Brelsford.	Murray.
Darwin.	Real.
Hudspeth.	Taylor.
Kauffman.	Watson.
McGregor.	

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—22.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Darwin.	Real.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

Senator Johnson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 352.

The Chair laid before the Senate, on second reading,

Senate bill No. 352, A bill to be entitled "An Act granting permission to Lee Smith, Boyd Neilson, Arly Gilbert, or the parent or parents or legal representatives, or guardian or guardians ad litem, or next friends of said persons, to bring suit in a district court of Tarrant county, Texas, for the purpose of ascertaining, adjudicating, fixing and establishing claims for damages against said State of Texas arising out of injuries received by said Lee Smith, Boyd Neilson and Arly Gilbert on or about July, 1912, and declaring an emergency."

The bill was read first time and referred to Committee on State Affairs.

The bill was read second time and ordered engrossed.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Darwin.	Murray.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—21.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Vaughan.
Gibson.	Warren.
Greer.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Murray.
Darwin.	Real.
Hudspeth.	Taylor.
Kauffman.	Watson.
McGregor.	

Absent—Excused.

Astin.

Senator Lattimore moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 299.

The Chair laid before the Senate, on second reading,

Senate bill No. 299, A bill to be entitled "An Act granting to the Higgins Oil and Fuel Company of Beaumont, Texas, permission to sue the State of Texas for the sum of \$859.43, representing the contract price for four cars of fuel oil delivered to the State Lunatic Asylum at Austin in April and June, 1907, under a contract, as alleged by said claimant; making an appropriation to pay such judgment as may be rendered against the State in any such action, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Vaughan.
Gibson.	Warren.
Greer.	Weinert.
Johnson.	Westbrook.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

## Absent.

Brelsford.	Murray.
Darwin.	Real.
Hudspeth.	Taylor.
Kauffman.	Watson.
McGregor.	

## Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

## Yeas—21.

Bailey.	Paulus.
Carter.	Real.
Collins.	Terrell.
Conner.	Townsend.
Cowell.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.
Nugent.	

## Absent.

Brelsford.	McGregor.
Darwin.	Murray.
Gibson.	Taylor.
Hudspeth.	Watson.
Kauffman.	

## Absent—Excused.

Astin.

Senator Collins moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 79.

The Chair laid before the Senate, on second reading,

Senate bill No. 79, A bill to be entitled "An Act to amend Section 10, Chapter 23, of the General Laws of the First Called Session of the Thirtieth Legislature, so as to extend the time within which and prescribe the conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived, by extending until the first day of September, A. D. 1913, the time during which corporations embraced within the terms of said act may pay to the Secretary of State franchise taxes and penalties referred to in said act, and have their rights to do business revived; and providing for forfeiture of the charters of such domestic corporations as may fail so to do, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Warren, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Bailey.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.	Darwin.
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Hudspeth.  
Kauffman.  
McGregor.

Murray.  
Taylor.  
Watson.

Absent—Excused.

Astin.

The bill was read third time, and passed by the following vote:

Yeas—21.

Bailey.  
Carter.  
Collins.  
Conner.  
Cowell.  
Gibson.  
Greer.  
Johnson.  
Lattimore.  
McNealus.  
Morrow.

Nugent.  
Paulus.  
Terrell.  
Townsend.  
Vaughan.  
Warren.  
Weinert.  
Westbrook.  
Wiley.  
Willacy.

Absent.

Brelsford.  
Darwin.  
Hudspeth.  
Kauffman.  
McGregor.

Murray.  
Real.  
Taylor.  
Watson.

Absent—Excused.

Astin.

Senator Warren moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 151.

The Chair laid before the Senate, on third reading,

Senate bill No. 151, A bill to be entitled "An Act to prohibit foreign corporations from removing suits against them to the district courts of the United States and providing for the forfeiture of the right of such foreign corporations to do business in the State of Texas upon filing an application to remove any civil suit pending or hereafter brought against it in the State court to any of the district courts of the United States and declaring an emergency."

The bill was read third time, and passed by the following vote:

Yeas—21.

Bailey.  
Carter.  
Collins.  
Conner.  
Cowell.  
Gibson.

Greer.  
Johnson.  
Lattimore.  
McNealus.  
Morrow.  
Nugent.

Paulus.  
Terrell.  
Townsend.  
Vaughan.  
Warren.

Weinert.  
Westbrook.  
Wiley.  
Willacy.

Absent.

Brelsford.  
Darwin.  
Hudspeth.  
Kauffman.  
McGregor.

Murray.  
Real.  
Taylor.  
Watson.

Absent—Excused.

Astin.

Senator Carter moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 134.

The Chair laid before the Senate, on third reading,

Senate bill No. 134, A bill to be entitled "An Act to amend Article 1830, Title 37, Revised Statutes, 1911, by striking out exception 4, and adding in lieu thereof the following: 'Where there are two or more defendants residing in different counties in which case the suit may be brought in any county where any one of the defendants reside; provided, that the transfer or assignment of any note or chose of action shall not give any subsequent holder the right to institute suit on any such note or chose of action in any other county or justice precinct in which such suit could have been prosecuted if no assignment or transfer had been made.'"

The bill was read third time, and passed.

Senator Conner moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 371.

The Chair laid before the Senate, on second reading,

Senate bill No. 371, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station at or near Lufkin, in Angelina county, Texas, for the purpose of conducting experiments in fruits, vegetables, grains and other farm crops, and studying soil problems in Angelina county and contiguous counties in the East Texas region, and disseminating useful information, making

necessary appropriation therefor, and declaring an emergency."

The committee report providing that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

On motion of Senator Townsend, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Darwin.	Real.
Hudspeth.	Taylor.
Kauffman.	Watson.

Absent—Excused.

Astin.

The bill was read third time, and passed by the following vote:

Yeas—22.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Lattimore.	Weinert.
McNealus.	Wiley.
Morrow.	Willacy.

Absent.

Brelsford.	McGregor.
Darwin.	Real.
Hudspeth.	Taylor.
Kauffman.	Westbrook.

Absent—Excused.

Astin.

Senator Townsend moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 174.

The Chair laid before the Senate, on second reading,

Senate bill No. 174, A bill to be entitled "An Act to amend Article 6639 of Chapter 13, Title 115, of the Revised Civil Statutes of the State of Texas, of 1911, relating to the duties of railroad agents and affixing a penalty."

The bill was read second time and ordered engrossed.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Real.
Darwin.	Taylor.
Kauffman.	Westbrook.
McGregor.	

Absent—Excused.

Astin.

Senator McNealus offered the following amendment:

Amend the bill, page 1, line 9, by adding at end the words "and declaring an emergency."

The amendment was read and adopted by the following vote:

Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.           McGregor.  
Darwin.              Real.  
Kauffman.           Taylor.

## Absent—Excused.

Astin.

The bill was read third time, and passed by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.           McGregor.  
Darwin.              Real.  
Kauffman.           Taylor.

## Absent—Excused.

Astin.

Senator McNealus moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 175.

The Chair laid before the Senate, on second reading,

Senate bill No. 175, A bill to be entitled "An Act to amend Article 6553, of Title 115, Chapter 10, of the Revised Civil Statutes of 1911, relating to railroad train dispatchers and affixing a penalty."

Senator McNealus offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 9, by adding the following words, "and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.           McGregor.  
Darwin.              Real.  
Kauffman.           Taylor.

## Absent—Excused.

Astin.

The bill was read third time, and passed by the following vote:

## Yeas—24.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McNealus.	Wiley.
Morrow.	Willacy.

## Absent.

Brelsford.           McGregor.  
Darwin.              Real.  
Kauffman.           Taylor.

## Absent—Excused.

Astin.

Senator McNealus moved to reconsider the vote by which the bill was passed and lay that motion on the table. The motion to table prevailed.

## SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Watson:

Be it resolved by the Texas Senate, That the President of the United States, Woodrow Wilson, and the people of the Union be congratulated upon the selec-

tion of Hon. Albert S. Burleson and David Houston to be members of the President's Cabinet, and be it further

Resolved, That a copy of this resolution be telegraphed by the Secretary of the Senate to the President, Mr. Burleson and Mr. Houston.

The resolution was read and adopted.

#### SENATE BILL NO. 45.

The Chair laid before the Senate, on second reading,

Senate bill No. 45, A bill to be entitled "An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Paulus, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Terrell.
Cowell.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Wiley.
McNealus.	Willacy.
Morrow.	

Absent.

Brelsford.	Real.
Darwin.	Taylor.
Kauffman.	Westbrook.
McGregor.	

Absent—Excused.

Astin.

The bill was read third time and passed by the following vote:

Yeas—23.

Bailey.	Greer.
Carter.	Hudspeth.
Collins.	Johnson.
Conner.	Lattimore.
Cowell.	McNealus.
Gibson.	Morrow.

Murray.	Warren.
Nugent.	Watson.
Paulus.	Weinert.
Terrell.	Wiley.
Townsend.	Willacy.
Vaughan.	

Absent.

Brelsford.	Real.
Darwin.	Taylor.
Kauffman.	Westbrook.
McGregor.	

Absent—Excused.

Astin.

Senator Paulus moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

#### ADJOURNMENT.

On motion of Senator Lattimore, the Senate, at 10 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

#### APPENDIX.

##### BILLS SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 63, "An Act to create a more efficient road system for Hopkins county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners, and providing for the working of county convicts upon the public roads of said county, etc., and declaring an emergency."

House bill No. 82, "An Act to amend Sections 2, 14 and 16 of an act creating a special road law for Polk county, special laws of 1909, so as to allow additional pay for teams and drivers, to provide additional pay for county commissioners, and to provide additional compensation for county superintendents of public roads, and declaring an emergency."

House bill No. 83, "An Act creating an independent school district, to be known as Driscoll Independent School District, and declaring an emergency."



House bill No. 216, "An Act granting unto the municipal authorities of the city of Austin, Texas, the right to establish, operate and maintain a free public library upon a tract of land consisting of sixty-nine feet by one hundred and twenty-eight feet, north half of block 101 in the city of Austin, Texas, and changing the designation upon the map of the city of Austin of said tract of land from church to free public library purposes."

House bill No. 240, "An Act to authorize and permit the Crosbyton Independent School District to increase its territory and to incorporate the whole thereof as an independent school district for free school purposes only, to be known as the Crosbyton Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only, and declaring an emergency."

House bill No. 258, "An Act to amend Section 11 of an act of the Twenty-eighth Legislature, entitled 'An Act to create a more efficient road system for Palo Pinto and Bosque counties,' Special Laws, 1903, page 135, so as to provide that the commissioners of Palo Pinto county, for their services as road commissioners, shall receive the sum of \$3.00 per day, and declaring an emergency."

House bill No. 274, "An Act to amend Section 14 of the Panola and Llano county road law, passed by the Twenty-seventh Legislature of the State of Texas, being 'An Act to create a more efficient road system for Panola and Llano counties, Texas,' and declaring an emergency."

House bill No. 282, "An Act to provide a more efficient road law for Harris county, etc., and declaring an emergency."

House bill No. 288, "An Act to create a more efficient road law for Cass county, making the county commissioners ex-officio road supervisors, defining their duties, fixing their salaries, and declaring an emergency."

House bill No. 296, "An Act to create a more efficient road law for Cherokee county, Texas."

House bill No. 361, "An Act creating Rising Star Independent School District, in Eastland county, Texas, and also containing territory in Brown county, Texas."

House bill No. 362, "An Act to create a more efficient road system for Gonzales county, Texas, and making the county commissioners ex-officio road com-

missioners, fixing their salaries and prescribing their duties, and declaring an emergency."

House bill No. 367, "An Act creating an independent school district known as White Rock Independent School District, and declaring an emergency."

House bill No. 374, "An Act to render more effective and efficient the present road law of the State of Texas, in its application and operation in the county of Childress; providing that county commissioners shall be created road commissioners of their respective commissioners' precincts of said county, fixing compensation, and declaring an emergency."

House bill No. 395, "An Act creating and establishing the Angleton Independent School District, in Brazoria county, Texas, and defining its boundaries, providing for its management and control under the general laws relating to independent school districts, and declaring an emergency."

House bill No. 405, "An Act to amend Section 3, Chapter 39, of the Special Laws of 1903, being the special road law for Nacogdoches county; prescribing the duties and enlarging the powers of county commissioners with reference to public roads."

House bill No. 410, "An Act to amend Section 7 of Chapter 32 of the Laws of the Regular Session of the Twenty-seventh Legislature, as amended by an act of the Thirty-second Legislature, approved March 23, 1911, being an act entitled 'An Act to create a more efficient road system for Clay county, Texas,' and declaring an emergency."

House bill No. 451, "An Act creating a complete road law for Hamilton county, Texas, including all matters germane or appertaining thereto; also repealing all laws or parts of laws, both general and special, in conflict, and declaring an emergency."

House bill No. 523, "An Act creating the Poteet Independent School District in Atascosa county, defining its metes and bounds, providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

House bill No. 531, "An Act creating the Birome Independent School District in Hill county, Texas; defining its metes and bounds, providing for a board of trustees therefor; vesting it with the rights and duties of districts incorpo-

rated for school purposes under the general laws, and declaring an emergency."

### COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 400, A bill to be entitled "An Act providing more efficient road laws for Bexar county, etc., and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, Taylor.

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 376, A bill to be entitled "An Act amending Section 3 of the special road law for Montgomery county, the same being an act of the Twenty-seventh Legislature, acts of 1901, page 76, by adding thereto Section 3a; providing a penalty against county convicts who escape while being worked on public roads of said county under the provisions of Section 3 of said act; and also amending Section 18 of said acts providing that certain compensation for certain county commissioners of said county while serving as road supervisors in addition to the compensation now provided for in said act; repealing all laws in conflict with said Sections 3 and 18 of said act, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, Taylor.

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

Senate bill No. 386, A bill to be entitled "An Act to create a more efficient road system for Howard county, Texas, and declaring an emergency,"

Have had the same under consideration and beg leave to report same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, Taylor.

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 339, A bill to be entitled "An Act to create a more efficient road system for Bosque county, in this State, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, Taylor.

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 393, A bill to be entitled "An Act to create a more efficient road system for Hill county, Texas, and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, Taylor.

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 356, A bill to be entitled "An Act to create a road commission for Callahan county by making the members of the commissioners' court ex-officio members of said commission, and defining duties, powers, salaries and

qualifications of the same, etc., and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Westbrook, Townsend, Taylor.

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 362, A bill to be entitled "An Act to authorize, empower and permit Aransas county, upon a vote of two-thirds majority of the resident property taxpayers, voting thereon, who are qualified electors of said county, to issue bonds, or otherwise lend its credit in any amount, not to exceed one-fourth of the assessed valuation of the real property of said Aransas county and to levy and collect taxes to pay the interest on said bonds and to provide a sinking fund for the redemption thereof, for the purpose of laying out, opening, constructing and maintaining a public road and highway or causeway across the waters of Aransas Bay, between Lamar Peninsula and Live Oak Peninsula in said county, so as to connect the public road system of said county lying north of Copano Bay with the public road system of said county on Live Oak Peninsula, and declaring an emergency."

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Taylor, Townsend, Westbrook.

Committee Room,

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 396, A bill to be entitled "An Act to incorporate the Wills Point Independent School District in Van Zandt county, Texas, for free school purposes only, the boundaries to be identical with the limits and boundaries of the city of Wills Point; divesting the city of Wills Point of the control of its public schools and title to school property, and vesting the same in said Wills Point Independent School District and its board of school trustees; providing

for a board of school trustees for the control and management of the said independent school district; providing for the transfer of the bonded or other indebtedness of the city of Wills Point for school purposes to the Wills Point Independent School District; and providing for the levy, assessment and collection, by the board of trustees of the Wills Point Independent School District of the local school maintenance tax heretofore voted by the city of Wills Point; prescribing the rights, powers, privileges and duties of the said Wills Point Independent School District, and its board of school trustees; providing for a treasurer of school funds of the district, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

PAULUS, Chairman.

Committee Room,

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 399, A bill to be entitled "An Act to repeal Chapter 9, Section 7 of an act entitled 'An Act to amend Section 7, Chapter 55, page 505, Special Laws of Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907,' and place the Lubbock Independent School District under the general laws relating to incorporated school districts, with all the powers given under such general laws, and repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

PAULUS, Chairman.

Committee Room,

Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 317, A bill to be entitled "An Act to amend Article 1133 of the Code of Criminal Procedure by adding a proviso thereto,"

Have had the same under consideration, and I am instructed to report the

same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 372, A bill to be entitled "An Act to amend Article 4610, of Chapter 1, Title 68, Revised Civil Statutes of 1911, providing that all persons desirous of marrying in this State shall procure a license authorizing its celebration, and declaring all marriages contracted, entered into or celebrated in any other manner null and void,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 365, A bill to be entitled "An Act to amend Article 1231, Chapter 3, Title 17, of the Penal Code of the State of Texas, and to add thereto Articles 1231a and 1231b, in regard to and defining cruelty to animals, and fixing a penalty therefor,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend the bill by striking out the word "overload" in line 4 of Article 1231.

CONNER, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 380, A bill to be entitled "An Act to amend Articles 929 and 931, and adding 931a of the Code of Criminal Procedure relating to preparation and filing of transcripts in criminal cases, and providing a penalty for failure to comply with the provisions of the law in regard to transcripts in criminal cases,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 329, A bill to be entitled "An Act regulating the granting of divorces and decrees of separation in this State and the fixing of the status of property and of the rights of children in such cases; repealing conflicting laws, and declaring an emergency,"

Have had the same under consideration and we, a majority of your committee, beg leave to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 329, A bill to be entitled "An Act regulating the granting of divorces and decrees of separation in this and the fixing of the status of property and of the rights of children in such cases; repealing conflicting laws, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

MORROW,  
HUDSPETH  
WILEY.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 289, A bill to be entitled "An Act to provide for the payment of ex-officio salaries to district clerks in certain cases; repealing conflicting laws and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Mining and Irrigation, to whom was referred

Senate bill No. 33, A bill to be entitled "An Act authorizing the formation of corporations for irrigation and development purposes for farming under irrigation, and permitting the acquisition of land for such purposes; providing the manner of such development for irrigation and restricting the ownership of such land by such corporation for the purpose of development, only, and providing, further, that no corporation thus formed shall own any land under and by virtue of this act for a period of more than fifteen (15) years from and after the date of the acquisition of same, requiring said corporation to alienate all lands owned by it within the said fifteen years, to bona fide purchasers for value, and providing for the organization of said corporations under Chapter 2, Title 21, of the Revised Statutes of the State of Texas,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room.  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate:

Sir: Your Committee on Mining and Irrigation to whom was referred

Senate bill No. 379, A bill to be entitled "An Act to authorize the commissioners' courts of the several counties of Texas to create and establish irrigation districts, to construct reservoirs, dams, canals, ditches, pumping plants and other internal improvements necessary to irrigation systems; to order and hold elections for the purpose of voting on irrigation propositions and establishment of irrigation districts; and provide for the careful government and operation of the defined irrigation districts; and authorize defined irrigation districts to issue bonds and assess property for taxation and to levy and collect taxes in payment of bonds issued for such irrigation improvements and the maintenance thereof, and authorize irrigation districts to levy assessments for the maintenance thereof and to assess and collect taxes for the bonds issued on interest thereof, and the expenses of assessing and collecting

such taxes; authorizing the election of directors and assessors and collectors, and authorizing the appointment of all other necessary officers, attorneys, managers, engineers and employes of such district for the purpose of carrying into effect the provisions of this act; providing for determining the lands included in said district and the addition of other territory of same, and the exclusion of territory from same; granting right to eminent domain for such district and authorizing irrigation districts to acquire by purchase, gift, grant or condemnation for such district, the title to any right of way and other necessary property, and providing for the payment therefor; providing for the acquiring of water rights for such irrigation districts, and providing for the distribution of water by such districts, and the sale of water; providing for the development of water-power sites and authorizing irrigation districts to do all things necessary for the establishment and maintenance of defined irrigation districts, and construction and maintenance of all necessary improvements, and to levy and collect assessments for the maintenance thereof; providing for the selection of depositories, for the maintenance of an office, for the keeping of books and accounts by such district; fixing a lien and penalties to enforce the collection of taxes; fixing a lien and penalty to enforce the collection of assessments; providing for the filing of suits to establish the validity of the formation of such districts and providing for the Attorney General of the State to file answers in such proceedings, and fixing the venue of such actions; authorizing the addition of territory within two or more counties to establish districts, and authorizing the formation of irrigation districts including territory in two or more counties, providing for election in such district and the method of making and declaring the result of such election; providing that suit may be instituted in the name of the State of Texas by the Attorney General; providing for the distribution of water among the water users of irrigation districts; providing generally a complete system for the formation of irrigation districts, the governing of irrigation districts, and the dissolution of irrigation districts; providing that irrigation districts may acquire existing improvements and pay the debts of same, and may acquire existing levy improvements of levy improvements systems and pay for same; providing that irrigation districts may construct drainage ditches

and improvements and may construct levees and may pay for all such improvements; providing for the validation and continuing in force of all irrigation districts heretofore formed and now existing in the State of Texas; repealing an act of the Twenty-ninth Legislature, being Chapter L, Acts of 1905, being Article 5012 to 5107 inclusive, of Chapter 3, Title 73, of the Revised Civil Statutes of the State of Texas; and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 48, have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it be referred to Judiciary Committee No. 2.

MORROW, Chairman.

The Chair directed that this bill be referred to Judiciary Committee No. 2.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 144, have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it be referred to Judiciary Committee No. 2.

MORROW, Chairman.

The Chair directed that this bill be referred to Judiciary Committee No. 2.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 382, A bill to be entitled "An Act to amend Title 65, Chapter 6, Article 4435, Revised Statutes of 1911, as to the qualifications of the Commissioner of Agriculture,"

Have had the same under consideration and I am instructed to report the

same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 248, A bill to be entitled "An Act to provide for acquiring and acceptance of title from the city of Gonzales to about one hundred and fifty acres of land, situated in Gonzales county, Texas, and being a part of the four-league grant from the State of Coahuila and Texas to the municipal town of Gonzales; and providing for fencing, beautifying and improving said land, the same to be designated by name as 'Gonzales State Park', making an appropriation therefor, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 390, A bill to be entitled "An Act fixing the number of members constituting the board of managers of the Lunatic Asylums, the Blind Asylum, the Deaf and Dumb Asylum, the Orphan Asylum, the Confederate Home, the Deaf, Dumb and Blind Asylum for Colored Youths, the Epileptic Colony, the State Institution for Training of Juveniles and the Old Woman's Confederate Home; fixing the terms of office of the members and the manner of their appointment; providing for overlapping terms, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,

Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 392, A bill to be entitled

"An Act to amend Title 76, Articles 5221, 5222, 5223, 5224, 5225, 5226, 5227, 5228, 5229, 5230, 5231, 5232, 5233 and 5234, of the Revised Civil Statutes of 1911, concerning the management and control of the State Institution for the Training of Juveniles, and to add thereto Article 5224a, making appropriation to carry out the provisions of this act, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 309, A bill to be entitled "An Act to exempt from taxation the buildings and other property owned and operated by the Young Men's Christian Associations where such property is used exclusively for furthering the interests of religious work and not for profit, and where such associations are operated with the approval and co-operation of the State and International Young Men's Christian Association Committees and the Young Women's Christian Association Committees, and in accord with the provisions and purposes of the association in furthering religious work,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred,

Senate bill No. 252, A bill to be entitled "An Act to amend Article 650b of the Revised Statutes of the State of Texas of 1895, as enacted by the Thirtieth Legislature, and to amend subdivision 73 of Article 1121 of Title 25 of the Revised Statutes of Texas of 1911, providing that certain corporations may obtain charters or have their charters amended so as to include two or more purposes with restrictions,"

Have had the same under consideration and I am instructed to report the

same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred,

Senate bill No. 378, A bill to be entitled "An Act to provide for the examination of books, accounts, records, letters, documents, papers, securities and to count the cash of all State institutions and departments, and of all State, district, county and precinct officers in this State; defining the duties of Comptroller of Public Accounts and of certain State, district, county and precinct officers; providing for the appointment of special agents and prescribing qualifications, and providing for the payment of expenses; fixing salaries; providing for the collection of moneys in certain instances; providing penalties; making appropriations; repealing laws and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 387, A bill to be entitled "An Act to repeal Chapter 9 of the General Laws of the Fourth Called Session of the Thirty-first Legislature of the State of Texas, approved September 6, 1910, known as the State Insurance Board Law, and to provide conditions upon which fire insurance companies may hereafter transact business in the State of Texas, and to create the State Fire Insurance Commission, and to prescribe its duties and authority, and the duties and authority of each member thereof, and to fix the salaries of the members, and to provide for their appointment and removal, and to provide that hereafter the rate of premiums to be charged by fire insurance companies in this State shall be fixed and determined and promulgated exclusively by said State Fire Insurance Commission, etc."

Have had the same under considera-

tion and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

Senate bill No. 113, A bill to be entitled "An Act to authorize the Governor of Texas to purchase the La Bahia Mission property near Goliad; to authorize the Governor of Texas to accept from the owner of the land in Goliad county upon which Colonel Fannin's men were massacred in the war for the independence of Texas; also to authorize the Governor of Texas to accept land from the owner of what is known as Fannin's Battlefield Ground in Goliad county, and to make an appropriation to pay for and improve the ground herein authorized to be purchased and accepted as a gift,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: We, a majority of your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 180, A bill to be entitled "An Act to repeal Chapter 18 of the General Laws of the Thirty-first Legislature, relative to fire insurance companies; prescribing conditions for transacting business, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: We, a minority of your Committee on Insurance, Statistics and History, to whom was referred Senate bill No. 180, have had the same under consideration, and beg to report same back

to the Senate with the recommendation that it do not pass.

WATSON.  
COWELL.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 341, A bill to be entitled "An Act to create a more efficient road system for Wichita county, in the State of Texas,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 1, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 336, A bill to be entitled "An Act granting to Fannin county a more efficient road law, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 360, A bill to be entitled "An Act to create a more efficient road system for McLennan county, Texas, making county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their compensation, as road commissioners, and defining the powers and duties of such county commissioners, providing for the working of county convicts on the public roads of said county, providing for officers' fees and rewards and penalties for said convicts, and rewards for the capture of escaped convicts, providing for the employment of a county road superintendent of said county, fixing the salary of said road superintendent, refining his duties as such road superintendent, providing for the employment of road keepers in said county and the defining of their duties, providing for eminent domain in the opening, widening, laying



out, and straightening of public highways, and in securing material for the construction or maintenance of public highways in McLennan county, repealing all laws requiring road or street duty, fixing penalties for the violation of this act, repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 311, A bill to be entitled "An Act creating the Roaring Springs Independent School District, in Motley county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the general laws, and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 368, A bill to be entitled "An Act to amend Section 15a, Chapter 303 of the Special Laws of the Thirty-second Legislature, entitled 'An Act to amend Sections 7 and 8, Chapter 34, of the Special Laws of the Regular Session of the Thirtieth Legislature, entitled "An Act to create a more efficient road system for Washington county, Texas, and making the county commissioners, and prescribing their duties as such, etc." and to add to said chapter Section 15a and 15b, conferring upon the commissioners court of said county the authority to employ a person, with a salary not to exceed one hundred dollars per month, to work under the orders of said court for the purpose of carrying out the provisions of said chapter,' and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 54, A bill to be entitled "An Act providing for the regulation and control of hospitals maintained or established or conducted by means of funds derived from deductions from the wages of or collections from the employees of railway companies or receivers thereof, providing that the collectors or possessors of such funds and property in which said funds have been invested, shall be trustees thereof, for the benefit of such employees, and providing for the selection of the members of the boards for the management of such hospitals, and for the powers of such boards, for the free transportation of sick and injured employees to and from such hospitals, and fixing penalties for violation, and providing for the collection of such penalties, and providing an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 37, A bill to be entitled "An Act granting permission to Philip H. Fall, Charles P. MacGill and the heirs of E. B. Nichols, deceased, to bring suit in the district court of Travis county, Texas, to ascertain, adjudicate, fix and establish their claims against the State of Texas, as owners and holders of certain claims and bonds therein mentioned and declaring an emergency,"

And find the same correctly engrossed.

BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 310, A bill to be entitled "An Act to amend Section 1, of Chapter 6, of the Special Laws of the First Called Session of the Thirty-second

Legislature entitled 'An Act creating the Lakeview Independent School District in Hall county, Texas, providing for a board of trustees thereof and declaring an emergency,' for the purpose of correcting and better defining the boundaries thereof, and declaring an emergency."

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 346, A bill to be entitled "An Act creating a special road law for Tarrant county, Texas,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 332, A bill to be entitled "An Act to create the South Park Independent School District, known as Common School District No. 6, in Jefferson county, Texas; to provide for the election of trustees for the raising of revenue, issuing bonds, building and maintaining public free schools, declaring valid an issue of bonds heretofore made, and declaring an emergency,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 333, A bill to be entitled "An Act to authorize Nueces county to build, and construct, own, lease and maintain a causeway, or combination roadway and bridge, from the mainland on the south shore of Nueces or Corpus Christi Bays to the north shore of said bays, or either of them, to connect the roadways of Nueces county with the roadways of San Patricio county, and for the said Nueces county to issue bonds of said county for same and to

levy and collect a special tax of fifteen cents authorized by Article 8, Section 9, of the Constitution, on the one hundred dollars valuation of the taxable property in said county; providing for condemnation proceedings and for the right of way; authorizing said Nueces county to lease right of easement of user of a portion of said road and bridge on terms to be prescribed by the commissioners' court of said county; authorizing, by vote, the levy of a tax and the issuance by said county of coupon bonds, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads; adopting certain provisions of the general law, and declaring an emergency,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 339, A bill to be entitled "An Act to create a more efficient road system for Tom Green county, Texas, and declaring an emergency,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 343, A bill to be entitled "An Act to amend Section 23, Chapter 46 of the Acts of 1901, passed by the Twenty-seventh Legislature, and to amend Section 23 of Chapter 94 of the Acts of 1911, passed by the Thirty-second Legislature of the State of Texas, being an act entitled 'An Act to create a more efficient road system for Matagorda county,' and declaring an emergency,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 383, A bill to be entitled "An Act to amend Chapter 34 of the Special Laws of the Regular Session of the Thirty-second Legislature, being 'An Act to amend Chapter 80, Special Laws passed by the Regular Session of the Thirtieth Legislature of the State of Texas,' approved April 15, 1907, and declaring an emergency,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

Committee Room,  
Austin, Texas, March 3, 1913.  
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 249, A bill to be entitled "An Act granting to the Guadalupe Water Power Company, now proposing to construct five (5) dams across the Guadalupe river, in Guadalupe county, Texas, and declaring an emergency,"

And find the same correctly engrossed.  
BRELSFORD, Chairman.

#### PETITIONS AND MEMORIALS.

By Senator McNealus:

Memorial signed numerously by the citizens of Gilmer, Texas, setting forth the need of an orphan asylum for colored children and requesting the Legislature to create same by proper enactment and establish the institution at Gilmer.

By Senators Warren, Greer, Darwin, Brelsford, Vaughan, Cowell, Nugent, Collins, Conner and Taylor:

Numerous petitions and telegrams signed numerously by citizens of Texas endorsing the Katy consolidation bill and asking that same be passed over Governor's veto.

By Senators Bailey and Real:

Numerous petitions from Houston and Galveston requesting enactment of House bill No. 162 or Senate bill by Real and others transferring the custody of the Alamo property to the Daughters of the Republic of Texas.

By Lieutenant Governor Mayes:

Telegram from B. Youngblood stating that Congress had finally consigned Ft. Brown to Texas, and that it was "up" to Texas to say whether or not money will be appropriated for an experimental station there.

By Senator Hudspeth:

Petition signed numerously by members of Texas Historical Landmarks Association, asking that the old main building of the Alamo fort be restored and that competent custodians be placed in charge and under the supervision of the State.

By Lieutenant Governor Mayes:

Copy of resolutions passed by Tom Green county Lodge No. 159, F. E. & C. U. endorsing the petitioning of the Legislature to vote liberal appropriations to the Agricultural and Mechanical College; also statement to the effect that 2,963 citizens of various Texas communities had signed petitions requesting such appropriations, said statement being signed by officers of Tom Green County Union.

#### THIRTY-EIGHTH DAY.

Senate Chamber,  
Austin, Texas,  
Tuesday, March 4, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum being present, the following Senators answering to their names:

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.
McNealus.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending further reading of the Journal of yesterday, on motion of Senator Darwin, the same was dispensed with.

#### EXCUSED.

On account of important business:  
Senator Kauffman, for non-attendance